

PANEL: WEST/SOUTHCENTRAL

LOCATION: WARREN COUNTY JUDICIAL CENTER, 1001 CENTER STREET, BOWLING GREEN, KENTUCKY

DATE: July 09, 2003

9:30 AM

PJ: GUIDUGLI

MILLER

PAISLEY

2002CA001230

MAURICE YOUNG ET AL. VS TIMOTHY THOMAS

APPEAL FROM JURY VERDICT OF \$146,500 FOR BREACH OF CONTRACT. ISSUES INCLUDE 1) ARBITRATION CLAUSE NOT ENFORCED, 2) EXPERT WITNESS TESTIMONY EXCLUDED, 3) FAILURE TO GRANT SUMMARY JUDGMENT OR DIRECTED VERDICT, 4) IMPROPER INSTRUCTIONS, 5) SPECULATIVE DAMAGE CLAIMS PRESENTED, AND 6) EVIDENCE CONCERNING THE DEFENDANTS' ALLEGED DRUG USE ALLOWED.

CIVIL

WARREN COUNTY

THOMAS R. LEWIS

Appellant Atty:

Appellant Name:

.....  
COOK, MATTHEW P.

.....  
KATRINA TAYLOR  
MAURICE YOUNG

Appellee Atty:

Appellee Name:

.....  
CROCKER, BENJAMIN D.

.....  
TIMOTHY THOMAS

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET., LOUISVILLE, KY

DATE: July 09, 2003

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9:30 AM PJ: MCANULTY BARBER TACKETT  
2002CA000219 JAMES BIXLER VS COMMONWEALTH OF KENTUCKY  
DIRECT APPEAL CONTESTING VENUE; FAILURE OF PROOF AND IMPROPER COMMENTS BY PROSECUTOR.

CRIMINAL FAYETTE COUNTY JOHN R ADAMS

Appellant Atty: Appellant Name:  
.....  
PALOMBI, JOHN JAMES G. BIXLER  
STUTSMAN, DENNIS JAMES G. BIXLER

Appellee Atty: Appellee Name:  
.....  
LONG JR, WILLIAM ROBERT COMMONWEALTH OF KENTUCKY

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10:15 AM PJ: TACKETT BARBER MCANULTY  
2002CA001798 EDUCATIONAL TRAINING SYSTEMS, INC D/B/A A-PASS WEIKEL INST VS  
MONROE GUARANTY INSURANCE COMPANY ET AL.  
INSURANCE; WHETHER COVERAGE EXISTS FOR INFRINGEMENT OF TRADEMARK

CIVIL JEFFERSON COUNTY BARRY WILLET

Appellant Atty: Appellant Name:  
.....  
MCKIERNAN, DENNIS EDUCATIONAL TRAINING SYSTEMS, INC D/B/A A-PASS WEIKEL INST

Appellee Atty: Appellee Name:  
.....  
BISHOP, PAUL J EARL W. WEIKEL  
EAGAN, THOMAS PATRICK WEIKEL ACADEMY OF REALTY, INC.  
GUENTHNER JR, LOUIE EARL W. WEIKEL  
WEIKEL ACADEMY OF REALTY, INC.  
ORBESON, WILLIAM B. EARL W. WEIKEL  
WEIKEL ACADEMY OF REALTY, INC.  
SCHILLER JR., RICHARD PAUL MONROE GUARANTY INSURANCE COMPANY  
WHITE II, BEN TERRY MONROE GUARANTY INSURANCE COMPANY

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET., LOUISVILLE, KY

DATE: July 09, 2003

11:00 AM

PJ: BARBER

MCANULTY

TACKETT

2002CA001659

CAPE PUBLICATIONS VS THE CITY OF LOUISVILLE

OPEN RECORDS: IS THE CITY LEGALLY ENTITLED TO EXCLUDE SEXUAL VICTIMS NAMES FROM INFORMATION OPEN TO THE PRESS?

CIVIL

JEFFERSON COUNTY

THOMAS MCDONALD

Appellant Atty:

Appellant Name:

.....  
FLEISCHAKER, JON L.

.....  
CAPE PUBLICATIONS

MEYER, R. KENYON

CAPE PUBLICATIONS

PACK, ASHLEY CLEEK

CAPE PUBLICATIONS

Appellee Atty:

Appellee Name:

.....  
HICKERSON-HARRIS, STEPHANIE

.....  
THE CITY OF LOUISVILLE

SCHWEICKART, LISA A

THE CITY OF LOUISVILLE

STONE, WILLIAM C.

THE CITY OF LOUISVILLE

1:30 PM

PJ: BARBER

MCANULTY

TACKETT

2002CA001158

VALERIE DAD VS COMMONWEALTH OF KENTUCKY

CRIMINAL: SHOULD APPELLANT BE ENTITLED TO A SELF-PROTECTION INSTRUCTION?

CRIMINAL

JEFFERSON COUNTY

ANN O'MALLEY SHAKE

Appellant Atty:

Appellant Name:

.....  
SIMON, LARRY D

.....  
VALERIE J DAD

Appellee Atty:

Appellee Name:

.....  
SEELIG, GEORGE G.

.....  
COMMONWEALTH OF KENTUCKY

PANEL: EAST/SOUTHEAST

LOCATION: CLARK COUNTY COURTHOUSE, CIRCUIT COURTROOM, 2ND FLOOR, 34  
SOUTH MAIN STREET, WINCHESTER, KENTUCKY

DATE: July 09, 2003

9:30 AM

PJ: JOHNSON

BUCKINGHAM

DYCHE

2000CA002528

UNINSURED EMPLOYERS' FUND VS RELIANCE NATIONAL INDEMNITY  
COMPANY ET AL.

2000CA002643

WHETHER THE WCB ERRED BY AFFIRMING THE ALJ'S RULING (1) THAT THERE WAS NO EMPLOYER/EMPLOYEE  
RELATIONSHIP BETWEEN CEPS AND THE WORKERS; AND (2) THAT THE ALJ WAS BOUND BY THE RULING BY THE  
TEXAS COURT REGARDING THE INSURANCE POLICY. ON THE CROSS-PETITION, WHETHER COLONIAL WAS  
PROPERLY ASSESSED LIABILITY PURSUANT TO KRS 342.610.

WORKERS COMP

WORKERS' COMP COUNTY

DWIGHT T LOVAN

Appellant Atty:

Appellant Name:

.....  
RICHARDSON, MICHAEL A

.....  
UNINSURED EMPLOYERS' FUND

Appellee Atty:

Appellee Name:

.....  
ALLEN, J GREGORY

.....  
COLONIAL COAL COMPANY

PHELPS COAL & LAND

BOYD, STEPHEN

SPECIAL FUND

CHILDERS, KIMBERLY

JEFFREY BLANKENSHIP

COWDEN JR, WILLIAM BRUCE

W. BRUCE COWDEN

DAVIDSON, DENISE MOORE

ENTERPRISE COAL COMPANY

GINSBURG, PAMELA K.

RELIANCE NATIONAL INDEMNITY COMPANY

GOODRUM, STEVEN D

FARMERS INSURANCE EXCHANGE

GREENE, ROBERT J

VINCENT R. JOHNSON

HINKLE, JEFFERY

JOHN CHAPMAN

JENKINS III, FRANK

RELIANCE NATIONAL INDEMNITY COMPANY

LOWE, CYNTHIA K.

FARMERS INSURANCE EXCHANGE

NOT REPRESENTED BY COUNSEL,

COMPETITIVE EDGE PERSONNEL COMPANY

GAMBLE COAL COMPANY

QUAD FUELS, INC.

R S MINING, INC.

O'BRIEN, EILEEN M

BILL MONT COAL

WAUSAU INSURANCE COMPANY

SALMON, JAMES L

RELIANCE NATIONAL INDEMNITY COMPANY

SALVEN, VALERIE L.

WORKERS' COMPENSATION BOARD

STAYTON, LEONARD JOSEPH

THOMAS SALMONS

TURNER, WALTER W.

WORKERS' COMPENSATION BOARD

WEBSTER, LAWRENCE R.

HOMER RAY PREECE

PANEL: EAST/SOUTHEAST

LOCATION: CLARK COUNTY COURTHOUSE, CIRCUIT COURTROOM, 2ND FLOOR, 34  
SOUTH MAIN STREET, WINCHESTER, KENTUCKY

DATE: July 09, 2003

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10:30 AM PJ: BUCKINGHAM DYCHE JOHNSON

2003CA000100 ELIZABETH OLIVER VS SQUARE D COMPANY ET AL.

WORKERS' COMPENSATION

WORKERS COMP WORKERS' COMP COUNTY DWIGHT T LOVAN

Appellant Atty:

Appellant Name:

.....  
ALLEN, DAVID B

.....  
ELIZABETH OLIVER

Appellee Atty:

Appellee Name:

.....  
CLARK, BENNETT  
GREATHOUSE, LARRY M  
TERRY, DONNA H

.....  
SQUARE D COMPANY  
WORKERS COMPENSATION BOARD  
DONNA H. TERRY

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11:15 AM PJ: JOHNSON BUCKINGHAM DYCHE

2002CA001080 WESTERN-SOUTHERN LIFE ASSURANCE COMPANY VS ALFREDA MADDOX

WHETHER THE TRIAL COURT ERRED IN A JURY TRIAL WHERE THE PLAINTIFF SUCCESSFULLY RECOVERED DEATH BENEFITS ON THE LIFE OF HER SON (1) BY DENYING THE INSURANCE COMPANY'S MOTION FOR A DIRECTED VERDICT; (2) BY IMPROPERLY INSTRUCTING THE JURY; AND (3) BY NOT ALLOWING PROPER CLOSING ARGUMENT.

CIVIL GREENUP COUNTY LEWIS D NICHOLLS

Appellant Atty:

Appellant Name:

.....  
LESLIE, PHILLIP B.

.....  
WESTERN-SOUTHERN LIFE ASSURANCE COMPANY

Appellee Atty:

Appellee Name:

.....  
MARTIN III, RICHARD W.

.....  
ALFREDA MADDOX

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1:30 PM PJ: BUCKINGHAM DYCHE JOHNSON

2002CA002066 RINEHART SHEPHERD ET AL. VS CLYDE POTTER ET AL.

ADVERSE POSSESSION-SUMMARY JUDGMENT

CIVIL GREENUP COUNTY WILLIAM B MAINS

Appellant Atty:

Appellant Name:

.....  
CANTRELL, ROGER R

.....  
RINEHART S. SHEPHERD

LEONHART, MEL

ROBERT RILEY

RINEHART S. SHEPHERD

ROBERT RILEY

Appellee Atty:

Appellee Name:

.....  
MCGINNIS, JOHN R.

.....  
CLYDE POTTER

.....  
WILMA FAYE POTTER

PANEL: EAST/SOUTHEAST

LOCATION: CLARK COUNTY COURTHOUSE, CIRCUIT COURTROOM, 2ND FLOOR, 34  
SOUTH MAIN STREET, WINCHESTER, KENTUCKY

DATE: July 09, 2003

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2:15 PM

PJ: BUCKINGHAM

DYCHE

JOHNSON

2003CA000216

TIMMY PARRIS VS STAFFING ALTERNATIVE, INC. ET AL.

WORKERS' COMPENSATION

WORKERS COMP

WORKERS' COMP COUNTY

JONATHAN LEE STANLEY

Appellant Atty:

Appellant Name:

.....  
ADAMS, DICK

.....  
TIMMY S. PARRIS

Appellee Atty:

Appellee Name:

.....  
GREATHOUSE, LARRY

.....  
WORKERS' COMPENSATION BOARD

KING, J KEVIN

KEVIN KING

LEE, STEPHEN B

STAFFING ALTERNATIVE, INC.

PANEL: NORTH/CENTRAL

LOCATION: CHASE LAW SCHOOL, NUNN HALL, MOOT COURTROOM, ROOM 420, NUNN DRIVE, HIGHLAND HEIGHTS, KENTUCKY

DATE: July 15, 2003

9:30 AM

PJ: SCHRODER

GUIDUGLI

KNOPF

2002CA000789

RICHARD MURPHY VS RUTH MURPHY

MOTHER HAD A DOMESTIC VIOLENCE RESTRAINING ORDER PLACED AGAINST HER ADULT SON WITHOUT A HEARING. ORDER EXTENDED THREE YEARS WITHOUT A HEARING. CONSTITUTIONALITY OF KRS 403.750(2).

CIVIL

FAYETTE COUNTY

LAURANCE B. VANMETER

Appellant Atty:

Appellant Name:

ROSE, JILL HALL

RICHARD D. MURPHY

Appellee Atty:

Appellee Name:

ANDERSON, BARBARA F.

RUTH E. MURPHY

11:00 AM

PJ: KNOPF

GUIDUGLI

SCHRODER

2002CA000832

KELLY ANDERSON VS DONALD THURMAN

KELLY JO ANDERSON APPEALS FROM AN ORDER PARTIALLY GRANTING HER MOTION TO INCREASE CHILD SUPPORT. SHE ARGUES THAT THE TRIAL COURT ERRED: (1) BY FAILING TO INCLUDE CAPITAL GAINS IN ITS CALCULATION OF DONALD'S INCOME; (2) BY FAILING TO MAKE THE INCREASE IN CHILD SUPPORT EFFECTIVE FROM THE DATE OF THE FILING OF THE MOTION.

CIVIL

ANDERSON COUNTY

WILLIAM F STEWART

Appellant Atty:

Appellant Name:

JUDY, MICHAEL L.

KELLY JO ANDERSON

Appellee Atty:

Appellee Name:

HAWKINS, MICHAEL L.

DONALD GREGORY THURMAN

PANEL: RESCHEDULED CASES AND MISC OR

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: July 08, 2003

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1:00 PM PJ: JOHNSON BUCKINGHAM DYCHE  
2001CA002007 HOB RICHARDS ET AL. VS TIM MONTGOMERY CO EXECUTORS OF THE  
ESTATE OF J.C. MONTGOMERY ET AL.

WHETHER THE TRIAL COURT ERRED AS A MATTER OF LAW IN A SUMMARY JUDGMENT WHICH DECIDED  
DISPUTED INSURANCE COVERAGE RELATED TO PRIMARY, EXCESS AND EXCLUDED COVERAGE INVOLVING AN  
AUTO ACCIDENT.

CIVIL ADAIR COUNTY JAMES G. WEDDLE

Appellant Atty:

Appellant Name:

SMITH, JOEL RANDOLPH

HOB RICHARDS  
KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY  
RICHARDS BROTHERS LOGGING

Appellee Atty:

Appellee Name:

COLE SR, JOHN D.

LIBERTY MUTUALL INSURANCE COMPANY  
MARY A BELLAMY CO EXECUTORS OF THE ESTATE OF J.C.  
MONTGOMERY  
TIM MONTGOMERY CO EXECUTORS OF THE ESTATE OF J.C.  
MONTGOMERY

COOK, MATTHEW P.

LIBERTY MUTUALL INSURANCE COMPANY  
MARY A BELLAMY CO EXECUTORS OF THE ESTATE OF J.C.  
MONTGOMERY  
TIM MONTGOMERY CO EXECUTORS OF THE ESTATE OF J.C.  
MONTGOMERY

HOOVER, JEFFREY H

REX BUNCH

HUTCHISON JR, ROBERT

JOHNNY RICHARDS

MAULDIN, TIMOTHY L

COTTON STATES MUTUAL INSURANCE COMPANY

PERLMAN, PETER

MARY FRANCES

\*\*NOTE:MOVED FROM JULY 9 TO JULY 8

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1:45 PM PJ: GUIDUGLI KNOFF MCANULTY  
2003CA000939 NATHON DONAHOO VS RONNIE DORTCH ET AL.

WRIT OF PROHIBITION OHIO COUNTY RONNIE C DORTCH

Appellant Atty:

Appellant Name:

HORSMAN, LINDA ROBERTS

NATHON DONAHOO

Appellee Atty:

Appellee Name:

DORTCH, RONNIE C.

RONNIE C DORTCH

RYAN, PERRY T

COMMONWEALTH OF KENTUCKY

PANEL: RESCHEDULED CASES AND MISC OR

LOCATION: CHASE LAW SCHOOL, NUNN HALL, MOOT COURTROOM, ROOM 420, NUNN DRIVE, HIGHLAND HEIGHTS, KENTUCKY

DATE: July 15, 2003

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10:15 AM

PJ: GUIDUGLI

SCHRODER

KNOPF

2003CA001370

BLACK DIAMOND PEST CONTROL, INC. ET AL. VS COMMONWEALTH OF KENTUCKY

65.07

FRANKLIN COUNTY

WILLIAM L GRAHAM

Appellant Atty:

Appellant Name:

.....  
DONALD, ROBERT A

.....  
BLACK DIAMOND PEST CONTROL, INC.

KEITH DUNCAN

TROUTMAN, JAMES GREGORY

BLACK DIAMOND PEST CONTROL, INC.

KEITH DUNCAN

Appellee Atty:

Appellee Name:

.....  
FARROW, MARK T

.....  
COMMONWEALTH OF KENTUCKY

\*\*NOTE:ORAL ARGUMENT ON CR 65.07 MOTION